



*Handwritten signature/initials*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Raymond Diaz LUCERO

Defendant.

Magistrate Case No.: **'08 MJ 84 19**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

On or about May 12, 2008, within the Southern District of California, defendant Raymond Diaz LUCERO did knowingly and intentionally import approximately 52.10 kilograms (114.62 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

*Signature of Timothy L. Henderson*  
Timothy L. Henderson  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 14<sup>th</sup>  
DAY OF MAY, 2008.

*Signature of Peter C. Lewis*  
Peter C. Lewis  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Raymond Diaz LUCERO

4 STATEMENT OF FACTS

5 This complaint is based upon the personal observations, investigation and  
6 information provided to U.S. Immigration and Customs Enforcement Special Agent  
7 Timothy Henderson.  
8

9 On May 12, 2008, Raymond Diaz LUCERO made entry into the United States  
10 from Mexico through the Calexico, California West Port of Entry. LUCERO was the  
11 driver of a Chevrolet pickup. The pickup was last registered in the name of Juan Jose  
12 Rodriguez-Cota of Mexicali, Mexico.  
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14 Customs and Border Protection Officer (CBPO) M. Riche was working primary  
15 lane four (4) at the Port of Entry when LUCERO made entry into the United States.  
16 CBPO Riche referred LUCERO to the secondary lot for further inspection.  
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18 In secondary, CBPO J. Kierepka received a negative Customs declaration from  
19 LUCERO. A search of the Chevrolet resulted in the recovery of 26 packages containing  
20 a green leafy substance. A sample of the substance field-tested positive for marijuana.  
21 The combined weight of the packages was 52.10 kilograms (114.62 pounds). When  
22 CBPO Kierepka advised LUCERO that he was being detained for "transporting  
23 narcotics", LUCERO asked how much marijuana had been found.  
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25 Special Agent (S/A) Timothy Henderson interviewed LUCERO. S/A Henderson  
26 read LUCERO his constitutional rights per Miranda in English with S/A H. Leon present.  
27 LUCERO orally waived his rights, agreeing to make a statement.  
28  
29

1 LUCERO stated the he had never been told that any controlled substances were  
2 in the vehicle. LUCERO did admit that shortly before making entry into the United  
3 States he believed that "drugs" were present in the vehicle. LUCERO said that he did  
4 not discontinue the venture because his word had been given. LUCERO said that he  
5 was paid to drive the Chevrolet to Pep Boys in Calexico.  
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